

## Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY MANILA PRIORITY

C O N F I D E N T I A L STATE 299086

E.O. 11652:GDS

TAGS: CASC (GERLOCK, EDWARD AND BOOMS, ALBERT)

SUBJECT:DEPORTATION OF FATHERS GERLOCK AND BOOMS

REF: STATE 287542

1. AMBASSADOR ROMUALDEZ CALLED ON ASSISTANT SECRETARY HUMMEL DECEMBER 7 AND DELIVERED SIX-PAGE LETTER DATED DECEMBER 3 ADDRESSED TO SECRETARY BY FOREIGN SECRETARY ROMULO, REFERRING TO THE TELEGRAM SENT TO SECRETARY ON NOVEMBER 19 BY THE SUPERIOR GENERAL OF THE MARYKNOLL FATHERS (COPIES TO PRESIDENT MARCOS, AMBASSADOR SULLIVAN AND OTHERS) CONCERNING THE DEPORTATION OF FATHER GERLOCK. TEXT OF ROMULO LETTER BEING POUCHED TO EMBASSY.

2. IN REPLY TO SUPERIOR GENERAL'S CHARGES THAT:

(A) FATHER GERLOCK WAS DEPRIVED OF RIGHT TO DUE PROCESS;

(B) AT LEAST ONE RELIGIOUS HOUSE WAS SEARCHED; AND

(C) THAT THESE ACTIONS OF THE PHILIPPINE GOVERNMENT INDICATE "A NEW WAVE OF SUPPRESSION", CHARGES WHICH ROMULO CHARACTERIZED AS "MISLEADING, ERRONEOUS, FALSE AND LIBELOUS ALLEGATIONS", LETTER MADE FOLLOWING REBUTTALS:

A. DUE PROCESS: FATHER GERLOCK WAS GIVEN EVERY OPPORTUNITY

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TO DEFEND HIMSELF IN HEARINGS DURING 1973 AND 1974 FOLLOWING INSTITUTION OF DEPORTATION PROCEEDINGS AGAINST HIM IN LATE 1973. AS RESULT OF THOSE HEARINGS, HE WAS PLACED ON THREE-YEAR PROBATION. HIS DEPORTATION IN 1976 WAS BASED ON HIS VIOLATION OF PROBATION CONDITION THAT HE WOULD NOT VIOLATE ANY PHILIPPINE LAW OR ENGAGE IN ANY ACTIVITY INIMICAL TO THE SECURITY OF THE PHILIPPINES. IN PRE-DEPORTATION HEARING "HE CATEGORICALLY ADMITTED ALL THE ALLEGATIONS AGAINST HIM", HAVING BEEN GIVEN AMPLE TIME TO EXPLAIN HIS SIDE OF THE CASE. HIS DEPORTATION "IS CONSONANT WITH THE RIGHT OF A SOVEREIGN STATE TO EXPEL FOREIGNERS WHO VIOLATE ITS LAWS BY ENGAGING IN ACTIVITIES INIMICAL TO ITS INTEREST AND SECURITY".

B. RELIGIOUS HOUSE SEARCHED: INSUFFICIENT INFORMATION TO MAKE THE NECESSARY CLARIFICATIONS.

C. NEW WAVE OF SUPPRESSION CONSTITUTING A VIOLATION OF HUMAN RIGHTS: SUCH A CHARGE, ARGUES ROMULO, IS "TOTALLY FALSE, UNFAIR AND MISLEADING". A CHAPLAIN WAS ASSIGNED TO ARRESTING TEAM TO INSURE THAT NO EXCESSES WOULD BE COMMITTED. DEPORTATION OF GERLOCK AND CLOSURE OF TWO CHURCH-CONTROLLED RADIO STATIONS WERE PART OF CURRENT MEASURES GOP HAS UNDERTAKEN TO COUNTER INTENSIFIED EFFORTS OF NPA, WHICH HAS SUCCESSFULLY ESTABLISHED LINKAGES WITH MNLF AND CHRISTIAN LEFT "WHICH IS COMPOSED OF SOME RADICAL MEMBERS OF THE CLERGY AND OTHER RELIGIOUS PERSONALITIES WHOSE ACTIVITIES, WHICH INCLUDE INTERFERENCE IN THE POLITICAL AFFAIRS OF THE STATE, HAVE NEITHER BEEN SANCTIONED NOR SUPPORTED BY THE CHURCH HIERARCHY IN THE PHILIPPINES". LETTER CITES REVELATIONS BY RENATO CASIPE AND LILIA JUDILLA OF SUBVERSIVE ACTIVITIES AND COMMUNIST-CHRISTIAN LINKS.

3. LETTER ENDS WITH STATEMENT THAT "NO ONE, WHETHER HE BE A BISHOP, PRIEST, NUN, PLAIN CITIZEN, FOREIGN RESIDENT OR TRANSIENT UNDER THE JURISDICTION OF THIS COUNTRY HAS EVER BEEN ARRESTED, DETAINED OR DEPORTED FOR ADVOCATING OR PURSUING OPINIONS AND/OR IDEAS AND PROGRAMS INTENDED FOR THE BENEFIT OF THE PEOPLE, ESPECIALLY THE LESS CONFIDENTIAL

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FORTUNATE AMONG THE FILIPINO PEOPLE. ONLY THOSE CONFIRMED TO HAVE BEEN INVOLVED IN ACTIVITIES VIOLATIVE OF EXISTING PENAL LAWS AND INIMICAL TO THE INTEREST AND SECURITY OF THE STATE HAVE BEEN PROCEEDED AGAINST." CITING THE PHILIPPINE GOVERNMENT'S EFFORTS TO BUILD THE NEW SOCIETY, ITS CONCERN TO WORK FOR THE UPLIFT OF URBAN AND RURAL POOR, AND ITS DETERMINATION TO PROSECUTE ANY FORM OF INJUSTICE, THE LETTER STATES THAT THE GOP "WOULD

BE THE FIRST TO WELCOME AND ENCOURAGE ANY PERSON OR GROUP

OF PERSONS WHOSE WORK AND DEDICATION ARE DIRECTED TOWARD THE FULFILLMENT OF THESE SAME OBJECTIVES. BUT IT SHALL NEVER ALLOW ANYONE, CITIZEN OR FOREIGNER ALIKE TO UNDERMINE THE STABILITY AND SECURITY OF THE STATE IN THE GUISE OF SERVING THE POOR OR DENOUNCING INJUSTICES."

4. AMBASSADOR ROMUALDEZ NOTED THAT LETTER DID NOT ADDRESS THE QUESTION OF CONSULAR ACCESS WHICH HUMMEL HAD RAISED WITH HIM ON NOVEMBER 23. HE SAID HE HAD CABLED REPORT OF HUMMEL'S DEMARCHE TO HIS GOVERNMENT AND WOULD TRANSMIT THE REPLY AS SOON AS RECEIVED. WE INTEND NOT TO CONSIDER REPLY TO ROMULO LETTER PENDING RECEIPT OF GOP REPLY TO HUMMEL DEMARCHE. IN VIEW OF HUMMEL-ROMUALDEZ CHANNEL, WE DID NOT CONSIDER IT APPROPRIATE TO TALK TO REYES WHILE HE WAS AWAY FROM HIS OFFICE (AS SUGGESTED BY EMBASSY).

5. ACTION REQUESTED: IF GOP HAS NOT REPLIED TO OUR DEMARCHE ON CONSULAR ACCESS EITHER THROUGH MFA, IMMIGRATION COMMISSIONER'S OFFICE OR AMBASSADOR ROMUALDEZ BY TIME REYES RETURNS TO MANILA, EMBASSY SHOULD CONTACT HIM AS SOON AS POSSIBLE AND PRESS FOR SATISFACTION.

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